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JORGENSEN PUBLIC MEETING



THURSDAY, JUNE 16, 2011  
7:01 P.M.

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**JORGENSEN PUBLIC MEETING****THURSDAY, JUNE 16, 2011**

BE IT REMEMBERED THAT, pursuant to the Washington Rules of Civil Procedure, the Jorgensen Public Meeting was taken before Kathleen McKee, a Certified Shorthand Reporter, #3115, and a Notary Public for the State of Washington, on June 16, 2011 commencing at the hour of 7:01 p.m., the proceedings being reported at 6737 Corson Avenue South, Seattle, Washington.

**JORGENSEN PUBLIC MEETING****THURSDAY, JUNE 16, 2011****7:01 P.M.**

**MS. TYLER:** Welcome to the public meeting for the Jorgensen Forge facility. I'm Kendra Tyler and I'm the community involvement coordinator for the site. And tonight we're going to hear presentations by EPA Ecology and the Duwamish River Coalition to discuss the proposed cleanup options for the forge. We will first hear from Shawn Blocker with EPA over here who will discuss the post cleanup followed by the Department of Ecology, John Keeling, who will talk about a planned cleanup. We'll then have question and answer and then begin the public testimony.

Just a few quick things. If you haven't already figured out the bathrooms are over there to the right. We are videotaping and also a court reporter over here so if you do have questions or plan to give public comment please speak directly into the microphone and state your name as well. If you do not wish -- would not like to come up to the microphone stand and just raise your hand and we'll bring you a hand mic for you to use as well. I think that's about it and we'll go ahead and start with Shawn Blocker's presentation.

**MR. BLOCKER:** Can everybody hear me? Yes. Does that sound good? Yes, I don't have my Marine voice tonight

1 so I'm going to have use a microphone. Welcome to  
2 everybody. And as Kendra said we're going to discuss the  
3 proposed remedy for the Jorgensen Forge facility. Take  
4 about ten minutes and then we'll start answering questions.

5 History of Jorgensen Forge, it was financed by the  
6 U.S. Navy in 1942 to manufacture naval ship equipment. It  
7 was operated as Isaacson Iron Works from '45 to '65 and then  
8 as Earle M. Jorgensen facility from '65 to '92. Since '92  
9 it's been known as Jorgensen Forge. Jorgensen Forge and  
10 Boeing Jorgensen are different companies, so just to  
11 delineate that. And as such both remained on the order for  
12 the site.

13 The facility, this is a picture of the Duwamish  
14 Waterway and where the old river used to go. Jorgensen  
15 Forge is located here. So it also is in the stretch of what  
16 was the channel the Core put through at around the turn of  
17 the century. Here's kind of a schematic of the site. The  
18 area we're going to be cleaning up is this section here.  
19 Now, unlike the Boeing order the Jorgensen Forge Superfund  
20 order is only the top of the slope out towards the  
21 sediments. U.S. EPA is not involved with any of the other  
22 cleanups. Those are being done under the Department of  
23 Ecology. So when I'm talking about our order, the source  
24 control, things like that, it is only in relationship to the  
25 section that I have authority over.

1 So Jorgensen proposed four alternatives to Eco.  
2 The first alternative, this was no action, doing nothing.  
3 The next two are what are called dredge and cap. I'll show  
4 a schematic of what those look like is where you're digging  
5 out material and in some areas you put a cap over the top  
6 for some residual material you leave in. The fourth  
7 alternative was full removal and backfill. What I mean full  
8 removal, what they're doing is they're digging down to  
9 what's called the sediment quality standard, SQS. And then  
10 putting what we call clean backfill. It's what is known as  
11 RBCs. At Boeing we called it TMCLs. RBCs is basically the  
12 same thing. It's just Superfund cleanup. What that means  
13 is the material that goes back into the sediments is clean  
14 with no PCBs.

15 So to look at quickly at the alternatives this is  
16 kind of the overhead of alternative two. What Jorgensen has  
17 done is they broke these different areas down into  
18 management units. It makes it easier to design it. Now,  
19 something you will see is this is alternative two where  
20 you're looking down on it. This is a cross-section. And  
21 what you see, this is an area where they were just going to  
22 dig stuff out. Here's an area where they were going to dig  
23 and build a cap and then an area where they were just going  
24 to dig out. This scenario would end up leaving contaminated  
25 material in this area here under a permanent cap.

1 Alternative three was very, very similar. If you  
2 looked at the map from the first one to this one you would  
3 have seen one difference. This cell here is a different  
4 color. That's it. In this scenario you see basically the  
5 same cross-section. It looks very similar. There again  
6 we're going to leave some contamination, a minor amount,  
7 underneath that cap and the cap had to be there forever.

8 The fourth alternative, this shows a cross-  
9 section, and I want to make a note because I'm going to be  
10 commented on it tonight so I'll just address it now. This  
11 color when you look at the maps it says one foot dredged.  
12 It means more than one foot. It means 45 centimeters. So  
13 that is the point of compliance for Jorgensen. They will be  
14 digging to 45 centimeters. The cross-section when they're  
15 done is this. All excavated material, clean backfill here,  
16 no cap which means you don't have to worry about long-term  
17 maintenance of some structure there and all the  
18 contamination is out.

19 So one thing everybody is concerned about is  
20 source control. Okay? If we clean it up is it going to get  
21 dirty again. So what we're doing with the source control  
22 with Jorgensen is I can only control the sources that are  
23 within the boundaries of my site, which include the large  
24 four-inch storm drain, the drain at part of Boeing Plant --  
25 or Boeing Field, Jorgensen, Boeing Plant 2, and then three

1 smaller storm drains. The 24-inch dig line which was a  
2 concern because it had some high PCBs in it is gone. They're  
3 in the process, it's being closed off. There's still some  
4 of it in the ground but it's going to get dug up fairly  
5 immediate so that's gone. The other three storm drains  
6 Ecology is going to be talking about in their presentation  
7 if he gets here in time. Otherwise I'll be talking about  
8 his presentation.

9 Larger source control, one of the other concerns  
10 is location. When you've cleaned up your area what do you  
11 do about stuff that's coming down the river. We call it the  
12 larger source control picture. That's being organized and  
13 done by the Washington State Department of Ecology. They  
14 call it their Source Control Action Plan. Once we do all  
15 the removal and put back the land we'll have a minimum of  
16 ten years post-construction monitoring. What that means is  
17 every year Jorgensen will go out and take a sample to see if  
18 the sediments have become recontaminated. Jorgensen is only  
19 liable for that recontamination if we show that it came from  
20 their site. That's why we're all (inaudible). So if their  
21 sediment is getting recontaminated and they can show us that  
22 the groundwater is clean and if their storm water is clean  
23 they're not responsible for the damage. It's the same as  
24 what we had at Boeing Plant 2.

25 So what does EPA want? We want cleanup option --

1 we are recommending cleanup option number four which is the  
2 full removal and backfill. The reason we want this is  
3 because it gets everything out. The maximum depth that  
4 we'll be dredging is about ten feet. We don't have to go  
5 nearly as deep as we had to do at Boeing Plant 2. We like  
6 this because we don't leave something in place as we  
7 maintain in perpetuity. You know, we don't have to worry  
8 about fixing those caps some time in the future. Lastly  
9 when it comes to the no further action that was not an  
10 option but we had to put it in anyway.

11 So that concludes the Jorgensen portion. I'll  
12 answer any questions regarding that if you have them. Or  
13 since John Keeling isn't here I'll try to plow through his.  
14 Yes, (b) (6)?

15 MR. (b) (6): The one thing I didn't hear in your  
16 plan on this particular site is that it's all in water?

17 MR. BLOCKER: No, a lot of the work would be done  
18 out of water.

19 MR. (b) (6): Good.

20 MR. BLOCKER: It doesn't have nearly as much in  
21 the water as what we had at Boeing Plant 2.

22 MR. (b) (6): Thank you.

23 MR. BLOCKER: Any other questions? Now, one thing,  
24 I wanted to mention this portion of the meeting when I  
25 answer your questions if you want to have your question as



1 part of the record please wait until we open up the public  
2 comment period and then come up and ask that question again,  
3 okay? Come up during the public comment section so that it  
4 becomes part of the official record if you want to be  
5 responded to. So, any other questions? Yes, Ms. (b) (6)?

6 MS. (b) (6): So, I wasn't invited to the Boeing  
7 meeting but I didn't hear about the new dredging proposal so  
8 if you could explain the (inaudible).

9 MS. TYLER: Shawn, before you start can she repeat  
10 the question, please?

11 MS. (b) (6): (b) (6), People for Puget Sound.  
12 So if you could explain about the dredge proposal for the  
13 site, please.

14 MR. BLOCKER: You didn't get invited to Boeing?

15 MS. (b) (6): I didn't.

16 MR. BLOCKER: Okay. The proposal which will --  
17 okay, the proposal -- I guess I am going to use my Marine  
18 voice. The proposal that we had at Boeing is they're going  
19 to be using some extended arm excavators that have a  
20 specially designed clam at the end that reduces the amount  
21 of suspended sediments that are left in the water quality.  
22 The presentation that Boeing gave to myself and the Corps of  
23 Engineers showed that that had the least impact on the  
24 river. And like I said, Boeing has agreed to give that same  
25 presentation at the RCC and I'm sure everyone else will show

1 up to see that technology. Okay? Go ahead.

2 MS. (b) (6): Can you please just sort of tell us  
3 what the special thing is on the end?

4 MR. BLOCKER: It looks like a normal clam shell.  
5 It's got a cover on it that flops back that keeps the stuff  
6 from sloshing out. It looks like a clam shell.

7 MS. (b) (6): Following up on that question we  
8 have -- some people have attempted to get this information  
9 already and we'll comment on that later but since it's EPA's  
10 decision and it's being incorporated into the EE/CA to  
11 direct this we would like more detail provided in the final  
12 even though it's still a draft at this point. And if you  
13 could explain what evidence or what experience was provided  
14 by Boeing as you evaluated that information. We're assuming  
15 that there's a fair amount of information available for you  
16 to have been persuaded so more of that information,  
17 transparent, would help us here tonight very much.

18 MR. BLOCKER: Sure. I'm not going to try to  
19 recreate what I saw other than tell you it was really,  
20 really, really, really good. What they showed was the data  
21 in comparison to the suspended sediments using soakers in a  
22 (inaudible) environment and using (inaudible) and then in  
23 comparison with the utilization of the system which you saw  
24 as this actually has the least amount of sediments. This  
25 (inaudible) only five to seven percent of suspension with

1 this technology by similar to nine or fifteen or something.  
2 And each -- I'm sorry, from four months ago.

3 **MS. TYLER:** Anymore questions right now? John,  
4 are you here?

5 **MR. BLOCKER:** Okay. Now, I'll be playing the part  
6 of John Keeling, Washington State Department of Ecology, and  
7 hopefully I'll get his presentation correct. This is mainly  
8 in regards to what's going on in the uplands. The uplands  
9 area as you can see is the area highlighted in yellow where  
10 Ecology has the order on. Basically the initial order was  
11 to look at what was the contamination they found in the  
12 uplands area. They completed that evaluation and determined  
13 that there are some areas that need to be addressed in the  
14 uplands which means some remediation in minor amounts but  
15 also some dealing with the storm drains since they discharge  
16 into the Duwamish. The investigation they did showed  
17 surface water. They looked at other storm drains. Looked  
18 in the actual drains themselves and the suspended sediments  
19 and then monitored the outflows, what was coming out. They  
20 also have wells that they use to monitor the shoreline to  
21 see what is coming out through that area. And then they did  
22 a northern boundary soil investigation so that's basically  
23 the area that bounds between Boeing Plant 2 and Jorgensen.  
24 What they basically found was that the storm water  
25 could cause the Sound to be contaminated. Now, those storm

1 drains have NPDES discharge permits. And the limits that  
2 they're seeing coming out of their storm drains are below  
3 those discharge limits. But that's not necessarily the  
4 concentrations you need to ensure that the sediments are  
5 protected. What Jorgensen has chosen to do is to enter into  
6 a new order with Ecology where they will be doing another  
7 pipe treatment for the storm water and determine if more  
8 work needs to be done so that those upland sources which I  
9 can't control will be controlled through the Ecology order.  
10 And that's the Department of Ecology. Do we have any  
11 questions on that? Okay.

12 **MS. TYLER:** All right. Right now we're going to  
13 begin the testimony. Again, this is being videotaped so if  
14 you could speak into the microphone. I think we have a list  
15 actually but before I think Linn Gould who is the technical  
16 adviser with the Duwamish River Coalition, she's going to  
17 come up and give her testimony. So Linn is going to go  
18 ahead and give her presentation and then after the  
19 presentation we're going to have time for question and  
20 answer. So I will be around afterwards.

21 **MS. GOULD:** Can everyone hear me? Okay. So my  
22 name is Linn Gould and I'm a technical consultant for  
23 DRCC/TAG. And what I want to talk to you tonight is even  
24 though or just theoretically discussing Jorgensen Forge  
25 there's some really, really important linkages between the

1 early -- other early action areas between the overall  
2 Superfund site and the decision documents that are kind of  
3 the next -- next series of documents that are coming down  
4 the pike. So if this doesn't feel like it's exactly about  
5 Jorgensen Forge I would like to try to talk to you about the  
6 linkages. Okay.

7 So just like we picked -- DRCC basically supports  
8 alternative four, all right? So that is -- they have below  
9 sediment quality standards and clean -- put in two feet of  
10 clean backfill. All right? Now, Jorgensen Forge has  
11 acknowledged that some of their -- some of their -- the  
12 complete vertical extent of PCBs is not complete and all the  
13 (inaudible). They've acknowledged that and they said don't  
14 worry, we're going to go down deeper at those issues. Okay.

15 Next. This was not a very fun document to review  
16 for me because it lacks an executive summary. Executive  
17 summaries are very important for public review. They  
18 provide a general overview of the contents of the EE/CA.  
19 They make the EE/CA simpler to review for the public and it  
20 really puts the public at a disadvantage for them not to be  
21 able to read the executive summary. I have to say that I  
22 also went into the source control document and that also  
23 lacks an executive summary. Now, Shawn will tell you it  
24 doesn't -- it's not required. It's true, executive  
25 summaries are not required. But T-117 had one and they

1 really do help the public understand what is going on.

2       Okay. Recontamination potential. It is -- it is  
3 a real problem that these -- we know that Jorgensen Forge,  
4 the uplands probably contaminated the sediments. However  
5 there is two separate documents and two separate orders. One  
6 is done by the EE/CA and one is done by the Department of  
7 Ecology. And there's a lack of -- there's gaps in  
8 consistencies because those are two different documents. And  
9 one of the things that's really, really hard to understand  
10 when you read the EE/CA is what is the recontamination  
11 potential that will come from the uplands without also  
12 reading the source control document. And the problem with  
13 the source control document is that it actually lacks a  
14 series of conceptual models that helps you understand how  
15 migration pathways, how soils and ground water and surface  
16 water, how -- how things from the uplands flow into the  
17 sediments. And this isn't just about recontamination  
18 potential from Jorgensen Forge. There's also a real  
19 potential that things from Boeing during cleanup could  
20 contaminate -- recontaminate the sediments.

21       Next. One of the things that we're really  
22 concerned about is how do you sequence cleanups. We've got  
23 cleanups in the uplands between Boeing Plant 2, Jorgensen  
24 Forge, and T-117. We've got those upland cleanups and then  
25 you've got the cleanups happening in the sediments. And

1 what happens if T-117 cleans up their sediments first and  
2 then Jorgensen Forge comes along and cleans up their  
3 sediments and recontaminates T-117? So we just want to be  
4 really, really clear about how we go about sequencing all  
5 this to prevent recontamination. And then just right  
6 downriver a little bit we've got the beaches. Okay?

7 So the dredging. Mechanical dredging has -- we  
8 now know or we understand hydraulic dredging really will  
9 cause a lot more contamination -- contamination than a  
10 certain specific type of mechanical dredging. And that's  
11 fine as long as the performance standards are achieved and  
12 that we have best management practices. But basically the  
13 public deserves a very, very thorough look at whatever  
14 design is occurring around dredging. And we welcome the  
15 fact that DRCC -- excuse me, that Boeing and Jorgensen Forge  
16 are willing to give us at DRCC and the public -- a  
17 presentation on dredging.

18 Next. Recontamination potential. We are still  
19 concerned about upriver source control. And we hope that  
20 that will be focused on in the future.

21 Next. Final sediment cleanup levels. When Shawn  
22 talks about cleaning up the sediment cleanup standards,  
23 specifically for PCBs, those are sediment cleanup standards.  
24 They are not cleaning up to the sediment plan standards that  
25 are protective of human health if you are -- if you are a

1 tribal fisherman eating as much as we've calculated that  
2 some communities fish from the river. Okay? So the DRCC is  
3 advocating for better cleanup levels that are more protected  
4 than this -- than these cleanup standards. It doesn't  
5 change the fact that we don't accept alternative four. Okay?

6 Finally, institutional controls. Institutional  
7 controls in the EE/CA are basically just saying, oh, you  
8 know, we're going to maybe do some fish advisories. That's  
9 not enough. We know, we have proof that fish advisories do  
10 not help environmental justice communities. We need to have  
11 culturally competent institutional controls. Some examples  
12 are, and these need to be reflected in all the decision  
13 documents, some examples are that we've seen in other  
14 fishing communities are education about fishing  
15 contamination. How to prepare and cook contaminated fish.  
16 Receive maps of alternative fishing locations. Culturally  
17 competent campaigns to raise awareness. Transportation,  
18 free transportation services to other places where they can  
19 fish. Vouchers to buy seafood at markets. And job creation  
20 for community outreach experts. So Duwamish has a vision of  
21 cleaning up the river. I've made eight points which are  
22 right here in front of you and that's it. Thank you.

23 **MS. TYLER:** Thank you, Linn. We'll open it up for  
24 questions. Do you have any questions for Linn? Okay. Rene,  
25 I think you have the list for people who want to speak.



1 MS. DAGSETH: I do. The first person is (b) (6)  
2 (b) (6)s.

3 MS. TYLER: (b) (6) is going to provide  
4 testimony.

5 MR. (b) (6): My name is (b) (6) and I live on  
6 South Park near the (inaudible) site. And we're worried  
7 about (inaudible) that you've proposed that mostly will be  
8 loaded on a barge and transported to other sites. Given the  
9 high winds and the chance of recontamination airborne at our  
10 particular location we're wondering what measures will be  
11 available immediately. First question. The second one is  
12 that we were -- and it is going to be a barge and then water  
13 dredging. Will there be notice to the mariners because this  
14 is a major waterway and major boat traffic both recreational  
15 and commercial. That's my comments for this particular  
16 point except for the fact that it (inaudible).

17 MS. DAGSETH: The next speaker is (b) (6)

18 MS. (b) (6): So I'm (b) (6) with People for Puget  
19 Sound. And again, I would like to reiterate the support for  
20 alternative four and getting the sediment out, the  
21 contaminated sediment out of the river. This is what People  
22 for Puget Sound advocates for all the sites around Puget  
23 Sound and it's great to hear that's what's going to be  
24 happening here. I would like to reiterate also Linn's  
25 concern articulated about the sequencing. We didn't really

1 discuss that so hopefully at some point that will become  
2 very clear to us, the community, exactly how this will be  
3 sequenced. It's great that these three sites are getting  
4 going. So that's great news but could possibly be one. And  
5 I'm sorry John's not here so if you could please submit  
6 these comments to John.

7           The concern -- this is a unique site in that we  
8 have an industrial site that is being cleaned up with that  
9 exact same industry in place. Most of the other sites we're  
10 dealing with have had -- you know, it has destroyed the  
11 site, the activities that have caused the contamination at  
12 hand. But here we have actually have one ongoing. I'm glad  
13 that the issue of air was raised because I haven't heard  
14 that issue in terms of source control but I'd like to, in  
15 the new agreement, have air specifically addressed in terms  
16 of pollutants impacting the river and also the site and the  
17 storm water runoff from that site as well as the issue of  
18 the metals from right off that site. Potentially we could  
19 be spending, you know, millions of dollars to clean up. So  
20 I hope to see the source control presentation very soon by  
21 Ecology. And also to see that presentation I think you --  
22 the one on the dredging I think should be presented back to  
23 us here or somewhere else. So it's not just for the DRCC  
24 but it's for the entire community. Thanks.

25           **MS. DAGSETH:** The next speaker is (b) (6).

1 MS. (b) (6) : My name is (b) (6), community  
2 environmental services and policy adviser to Duwamish River  
3 Cleanup Coalition and Duwamish River advocate in general.  
4 I've been working on the Duwamish River for 16 years I think  
5 it is now. And have been involved with many of the cleanup  
6 sites and decisions that have been made over the past ten  
7 years since the river was listed as a Superfund site in  
8 2001. This is overall a very good cleanup plan. The  
9 alternative that EPA is proposing, alternative four, is the  
10 best alternative but there are some details, and you've been  
11 hearing a little bit about it, that we really do need to  
12 address and they really are important. So being supportive  
13 of alternative four and endorsing the overall goal and  
14 approach that EPA is taking is very positive but there's a  
15 few things we need to think about and you've heard a little  
16 bit about that.

17 One is insufficient information is provided in  
18 this document. It's called the EE/CA for short but this  
19 particular cleanup plan, we need the information on the  
20 dredging technology determination, what dredging technology  
21 is being selected, why is it being selected, what evidence  
22 supports its selection. We need that in this document, not  
23 in some future design document that does not go through any  
24 public review. So right now we're looking at a draft  
25 document and we're hopeful and expecting that in the final

1 we will see some of the information that's currently  
2 missing. We hopefully -- what we would have preferred is  
3 that everybody could hear about the dredging technology  
4 that's being proposed and get comfortable with it.

5         So I do want to mention for folks who maybe are  
6 newer to the river cleanup the first cleanup site was a  
7 horrible, awful mess during cleanup and that's why this is  
8 so important. So that's something that we really need to  
9 see in the final with public involvement and review. The  
10 second is the coordination plan as you've been hearing is  
11 really important. We've got a lot of things going on on the  
12 river all at the same time period. It may not change the  
13 cleanup plan but when, where, and how the cleanup gets done  
14 might be affected by a coordination with these other sites.  
15 Again, we understand that that -- those considerations are  
16 being taken into affect but it's not transparent and it's  
17 something that should get more discussion in this document  
18 at this time.

19         Prevention of recontamination. Prevention of  
20 recontamination is much more important than worrying about  
21 assigning liability after the fact. That's not what we want  
22 to worry about. We want to make sure it doesn't happen in  
23 the first place. So understanding how that's all going to  
24 sequence is very important.

25         And then finally the driving consideration in all

1 of the decisions that get made have to be about human  
2 health, especially in the communities that we're dealing  
3 with. These are environmental justice communities. If  
4 you're talking about the potential for contaminated sediment  
5 to wash up on beaches nearby we're talking about very low-  
6 income neighborhoods, very ethnically diverse neighborhoods.  
7 A lot of language barriers. We need to make sure that every  
8 decision they we're making is really thinking about getting  
9 help in the communities that we're dealing with whether  
10 they're fishing communities or local resident communities.  
11 Thank you, Rene.

12 And one of the more -- most important pieces of  
13 this in addition to how the dredging itself gets done is  
14 what Linn mentioned is the institutional controls, a very  
15 bureaucratic term for making sure that folks that are  
16 fishing in the river and using the river today will have the  
17 shortest possible disruption in those activities. And that  
18 ultimately those activities will be able to be restored.

19 So if you count on the river to fish, either  
20 because you need it to eat or because it's a very important  
21 cultural activity in your community what are we going to do  
22 in the interim, right now, and during cleanup so before  
23 cleanup to substitute, to provide some reasonable  
24 alternatives. And then we also need to make sure it's not a  
25 permanent state of affairs that ultimately the decisions

1 that we make and that ultimately we'll be able to fish in  
2 the river again, at least to the extent that we can anywhere  
3 in Puget Sound. So those are all the comments. Thank you.  
4 Thank you, Shawn.

5 **MS. TYLER:** I think for the rest of the comments  
6 we're going to have you come up to the front and use the  
7 microphone.

8 **MS. DAGSETH:** Our next speaker is (b) (6).  
9 If anybody else wants to give comments tonight please sign  
10 up on the sheet in the back there. Thank you.

11 **MR. (b) (6):** Good evening. My name is (b) (6)  
12 (b) (6). I am the coordinator for the Duwamish River  
13 Cleanup Coalition. You're going to hear me echo what (b) (6) has  
14 said in a lot of ways, hopefully saying it in another way  
15 that will bring that point home. The Duwamish River Cleanup  
16 Coalition, this is a technical assistance group. We work  
17 with EPA on outreach. That is what we are supposed to do is  
18 to try to make sure that these cleanups are something that  
19 you can understand, that you understand is important for the  
20 community to be part of. This is stuff that's happening to  
21 you. You need to comment on these things. It is very  
22 important. If you asked a question or thought about  
23 something make that comment because this is the time that  
24 it's done. And this is when EPA has to pay attention to it.  
25 My comments are going to start again when this

1 cleanup needs to be protective of the health of the people  
2 that live around and use this river and protect the fish and  
3 wildlife of this river. When we talk about SQS levels that  
4 is not being protective of those things. We have to make  
5 sure that we have a plan, an overall plan that at some point  
6 in the future that people are going to be able to eat fish  
7 out of this river once again.

8       It is not good enough to say that it's in a ruined  
9 area and that's just the way it is. We know better and we  
10 can do better. These are environmental justice communities  
11 which means that they have a lot of things piled on top of  
12 them. And the health of their -- these communities,  
13 Georgetown and South Park, around this river and around  
14 these sites. We already know that people that live here are  
15 under stress and under strain and have different health  
16 problems. We're working on trying to define those health  
17 problems so we that can understand them even better and do a  
18 better job of recommending -- or representing our  
19 communities.

20       Monitoring before, during, and after dredging. So  
21 if the turbidity or any of the bad stuff in the soil gets  
22 out into the river then we have to be able to have it shut  
23 down as quickly as possible to figure out how we're going to  
24 do that. Monitoring on this part has to be done and err on  
25 the side of being conservative, not on the side of well,

1 can't we just get away with it for another half-hour or  
2 something before we're going to shut down. It has to be  
3 very conservative. So the plans that we're looking at as  
4 far as the monitoring of the dredging have to be done and  
5 done very conservatively so we don't have a problem that  
6 continues like we did on the early -- some of the earlier  
7 cleanups that we had.

8 Recontamination from storm water from Jorgensen  
9 Forge is of a high concern. Whatever the agreed-upon order  
10 from Ecology will have to give the community a high  
11 confidence that this site will no longer contribute to the  
12 pollution of the river. Upstream contamination and lateral  
13 sources of contamination will recontaminate this site. We  
14 need the coordination to happen between EPA and Ecology so  
15 that as we go down this road on the full river cleanup we  
16 can actually get to the point where we know the  
17 contamination that is coming from our upper sources and from  
18 our lateral sources will be controlled. Right now they are  
19 not. Spending money this way is not a smart thing to do.

20 We need to find the depth of the contamination in  
21 the sediments. We have not found where the bottom is on  
22 some of the sediments that are looked at here. So we need  
23 to find what depth they are and how far they go down because  
24 that's going to be important much later on and as far as how  
25 we know how much this is contaminated.



1 Coordination with all the early action areas need  
2 to be clear and well thought out. And that's something that  
3 needs to also be communicated to the communities, the people  
4 that care about these things. We need to make sure that  
5 these things are coordinated as well as with Ecology's  
6 source control plan. This is only one piece of the large  
7 puzzle. It's not a stand-alone cleanup and a lot of times  
8 every time we look at these cleanups we look at it as its  
9 own thing and that's all it is. We need to consider all  
10 these cleanups and look at them together as one piece of a  
11 larger puzzle.

12 Background on the decision we -- the community and  
13 the DRCC, we will be going through this and we'll figure out  
14 a way to make sure that it gets out to the public. But the  
15 decision on what dredge is going to be used. The background  
16 that you have used which hasn't been enumerated in the plans  
17 yet really needs to be enumerated so that everybody can  
18 understand it and have the confidence that Shawn seems to  
19 have in this. But you know "I don't remember" isn't a good  
20 enough answer to that. We need to have the documentation  
21 why it's going to be so much better.

22 I want to finish up my comments by saying as I  
23 said at the Boeing Plant 2 I am very happy to have Shawn as  
24 the person that's on this site. Shawn has done an  
25 incredible job on making sure that it's being done and being

1 done in the right way and that's very important to us. We  
2 are people that have learned to look through the details and  
3 to comb through that and try to find something. If we don't  
4 find something then there's something wrong and there's  
5 nothing wrong because we found some things and that's okay.

6 But I would like to publicly thank Shawn and also  
7 the other people that have worked on this cleanup. I would  
8 like to also thank Jorgensen Forge for making this evening a  
9 nice evening with food for people and that type of thing  
10 which does not happen all the time and it's something I  
11 think that we need to keep following up on. Even for us  
12 that have to work during the day and come here it's nice to  
13 have a bite to eat when you're here. So with that thank you  
14 for the people that have shown up tonight from the Duwamish  
15 River Cleanup Coalition because that's what we do. The  
16 other part of it is if you haven't signed up on our ledger.  
17 out front please do because we can get you more information  
18 on what's happening down the road. And other things that  
19 are going on on the river. That's what we're supposed to  
20 do. Thank you again.

21 **MS. TYLER:** All right. Unless anyone else would  
22 like to give public testimony I think we are done with that  
23 part of the evening. We are scheduled to be here until nine  
24 o'clock so I think we'll proceed now with more of the open  
25 house. There's more cookies and sandwiches in the back so

1 feel free. Also the representatives of Jorgensen Forge will  
2 still be in the room if you have any additional questions.  
3 So thank you for coming tonight. Shawn, do you have  
4 anything to say?

5 **MR. BLOCKER:** No.

6 **MS. TYLER:** All right. I am now going to  
7 officially close the comment period.

8 **MR. BLOCKER:** I'd like to be able to respond to  
9 all your comments and I will do that at the right time. But  
10 I want to be able to answer a few questions that are up for  
11 discussion so that when you leave tonight you have the  
12 answers and aren't waiting. One of the things that was  
13 asked was we don't know what we're doing. We don't  
14 understand the excavation technology that's being used and  
15 we're afraid we're not going to have an opportunity to  
16 comment. The process is improvising. This is one proposal  
17 of the entire process. I will respond to his comments.  
18 (Inaudible.) Jorgensen will prepare a plan. That plan will  
19 go out for stakeholder review. There will be another  
20 hearing where everybody gets a chance to see what's going  
21 on.

22 This isn't a done deal. It's one phase and then  
23 we'll tell Jorgensen go do your thing. There is another  
24 round where you can be involved with the process.

25 Oh, yeah. (Inaudible) to the site, that's the

1 other one. Myself, there are two project managers for the  
2 three sites. Myself, myself and Piper Peterson. Piper  
3 Peterson sits in the cube that's right behind me. We are  
4 attached at the hip. Almost everything that we're talking  
5 about is coordination and I've already spoken with Jorgensen  
6 tonight about this coordination and how we will sequence how  
7 we're doing this and exactly where we're going to go. Let's  
8 not make a mess, let's not trip over each other. Let's only  
9 do this once. It is the number one priority of EPA is to  
10 make sure that we do this right and coordinated.

11 (b) (6), you brought up a thing about the air. The  
12 air monitoring and things. (Inaudible) usually here at the  
13 site. So those are my responses to the questions and we  
14 will keep that in mind. So I think those are some main  
15 issues that came up that I wanted to address before you guys  
16 walked out of here. Anymore questions?

17 MS. (b) (6): So one-stop shopping is very  
18 important for the public so you don't have to try to figure  
19 out what documents exist and then find them all.

20 MR. BLOCKER: Yes.

21 MS. (b) (6): Can we get a commitment that this  
22 will all be, you know, in the final, the final EE/CA? At  
23 minimum there is a lot of information that isn't fully  
24 detailed in EE/CA. Why not?

25 MR. BLOCKER: Because I haven't studied EE/CA.

1 (Inaudible.)

2 MS. (b)(6): So for the record.

3 MR. BLOCKER: For the record. I think that's a  
4 great thing. I will respond to comments. Any other  
5 questions?

6 MR. (b)(6): This is (inaudible) Department of  
7 Ecology. And in the final part you're not really discussing  
8 it (inaudible) and the restoration agreement. Where was  
9 that (inaudible)?

10 MR. BLOCKER: EPA doesn't (inaudible).

11 MR. (b)(6): No.

12 MR. BLOCKER: Right, right. Whatever restoration  
13 agreements between Jorgensen. And I guess I was addressing  
14 the physical contamination. So by coordinating the  
15 statements with them hopefully Jorgensen will say oh, by the  
16 way, do you guys want to (inaudible). It significantly  
17 affected what their design was. So to answer your question  
18 there's not a whole lot.

19 MR. (b)(6) The thing I'm rather curious about is  
20 from the community's point of view, the end result  
21 (inaudible) process. At this particular stage in the  
22 process other than (inaudible).

23 MR. BLOCKER: Right. And of course in that  
24 respect that means it just is, period. Thank you everybody.

25 (Whereupon the public meeting was concluded at 7:46 p.m.)

## 1 CERTIFICATE

2  
3 I, Kathleen M. McKee, do hereby certify that pursuant  
4 to the Rules of Civil Procedure, the witness named herein  
5 appeared before me at the time and place set forth in the  
6 caption herein; that at the said time and place, I reported  
7 in stenotype all testimony adduced and other oral  
8 proceedings had in the foregoing matter; and that the  
9 foregoing transcript pages constitute a full, true and  
10 correct record of such testimony adduced and oral  
11 had and of the whole thereof.

12  
13 IN WITNESS HEREOF, I have hereunto set my hand this  
14 22nd day of June, 2011.

15  
16  
17  
18  
19  
20 /Signed \_\_\_\_\_ December 9, 2012  
21 Kathleen M. McKee Commission Expiration  
22  
23  
24  
25

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